REMARKS

Claims 1-6, 8-16, 19, 21, 23, 24 and 26 are all the claims pending in the application.

I.   Rejection based on 103(a)

The Examiner has rejected all the pending claims under 35 USC 103(a) under Keronen

(6,871,277) and Edwards et al. (6,549,521). Applicant traverses this rejection in light of the

following arguments.

Applicant contends that the Edwards reference cannot be used in the manner described by

the Examiner. The Edwards reference is method for managing data packets received from a

network (Col. 1, 5-10). Figures 3a-3g are directed to headers located within the packets that will

tell the receiving station what to do with the packet that is received by a particular input port (see

Col. 3, 32-26 and Col. 4).

Hence, the Edwards reference cannot read on the FromLower and ToLower rules

limitation in claim 1, nor can it read on the first and second rule sets limitation of claim 13. This

is not functionally equivalent to the FromLower and ToLower list pointer that is utilized in the

claimed invention. The FromLower and ToLower operations are not dependent on the receipt of

an input packet for a network, nor are they functionally similar. As indicated in Table 8 of the

specification, the FromLower and ToLower lists specify instructions for any given type of file

and can operate on processes as well as objects. In contrast, the packet containing the header

instructions in the Edwards reference can only operate on itself and not on any process, object, or

operation types. This is to be expected, because one of the primary embodiments of the Edwards

reference is to analyze how a packet is handled in a network decision tree and to trace the path

that the packet undergoes. Furthermore, packets cannot be manipulated to operate on process,

object, or operation types as packets are merely pieces of information useful only to its

destination (see Col 3, 33-45 in Edwards). The arrangement in the Edwards reference is

therefore useless to the claimed invention, which is designed towards protecting other programs
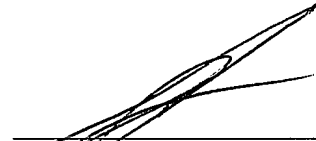
and data from hostile code.

Applicant further contends that the references cannot be combined since doing so would

destroy the purpose of the Keronen reference. Since the Keronen reference teaches an apparatus

and method for preventing disclosure of protected information, it cannot utilize a ruleset based

on external packets that can be received from potentially anywhere as the examiner has

suggested. The reason for this is that since the packets can come from anywhere, any malicious

user who wishes to invoke disclosure of protected information can send packets containing

rulesets which instruct the entities described in Keronen to disclose all of the protected content.

Clearly, Keronen cannot rely on a ruleset handed down by an external, uncontrolled source as is

the case in the Edwards reference. Although the rulesets may be stored in a remote server, that is

not equivalent to constructing the rulesets based on packets that can come from an unknown

origin. Therefore, the references are not combinable.

Since the remaining rejections are based on claims that are dependent on allowable

independent claims, those dependent claims are thereby also allowable.

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC   Joseph Bach
Telephone: (650) 625-8100   Registration No. 37,771
Facsimile: (650) 625-8110

MOUNTAIN VIEW OFFICE
23493
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